

REMARKS

Claims 1-5, 7, 8, 10-13, 19 and 20 have been examined. Claims 1, 8 and 19 have been amended. Reconsideration of the claims, as amended, is respectfully requested.

Claim Rejections - 35 U.S.C. §112

Claims 1-5 and 7 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Claim 1 has been amended to cancel the "open" limitation relative to the bottom end. Hence, this rejection is overcome.

Double-Patenting

Claims 1-5, 7, 8, 10-13, 19 and 20 have been provisionally rejected on the grounds of obviousness-type double-patenting as being unpatentable over claims 1-5, 9-11 and 15-20 of copending Application No. 10/400,209. Accompanying this Amendment is an appropriate Terminal Disclaimer, thereby rendering this rejection moot.

Claim Rejection - 35 U.S.C. 103

Claims 1-5, 7, 8, 10-13, 19 and 20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Schafer in view of Kasson. This rejection is respectfully traversed in part and overcome in part.

As currently amended, claim 1 claims a grilling system with a grill base and an insert that is disposed within the interior of the grill base to divide the grill base into separate chambers. Also, the insert contacts and rests upon the bottom end of the base and is configured to hold a heatable substance. Support for such a feature is found in, for example, Fig. 2. Also, a manifold is coupled to the grill base so as to be positioned above the heatable substance. The manifold comprises a platform and at least one conduit that extends vertically upward from the grill base and through the platform.

In contrast to the grilling system of claim 1, the Schafer patent fails to describe any type of insert. Instead, the Office Action is relying upon the Kasson patent to teach such a

limitation. However, the Kasson patent describes a domestic boiler with a chamber F. The boiler also includes an annular diaphragm m to which a vertical flange f is attached. It appears that this vertical flange f is what is being relied upon in the Office Action to teach the limitation of multiple chambers. However, the chamber G which is formed by flange f is not part of the grill base. Further, its function is to seal the joint around the lower edge of the flanges t and r so that no steam can pass back into the boiler chamber F or the tube I. See column 2.

In contrast, claim 1 as now amended recites that the insert contacts and rests upon the bottom end of the base. In this way, the bottom end of the base is divided into multiple chambers so that smoke or liquid vapors from the entire base may pass up through the manifold and vertically above the platform. Such features are impossible with the configuration of the Kasson boiler. Hence, claim 1 as amended is distinguishable over Schafer and Kasson and it is respectfully requested that the §103 rejection of independent claim 1 and dependent claims 2-5 and 7 be withdrawn.

As currently amended, claim 8 claims a method for grilling a grillable substance and utilizes a platform positioned above a grill base. Further, the platform includes a central hole that is at a geometric center of the platform. Support for such a limitation may be found, for example, in Fig. 2. One advantage of placing the central hole at a geometric center of the platform is that smoke or liquid vapors which rise from the grill base will pass through the central hole in the platform where they can more easily disperse onto the grillable substance.

In contrast, the Schafer patent describes openings 10 which are placed about the perimeter of the griller to allow for the escape of steam. In the geometric center is a dished portion 17 which collects condensed water where it can be drained through a pipe 18. Hence, the Schafer patent actually teaches away from placing a central opening to permit smoke or liquid vapors to pass through when grilling. Hence, claim 8 and dependent claims 10-13 are distinguishable over the Schafer and Kasson patents.

Independent claim 19 claim a grilling system that also includes a platform with a central hole that is at a geometric center of the platform. As previously described, the Schafer patent teaches away from such a feature. Hence, independent claim 19 and dependent claim 20

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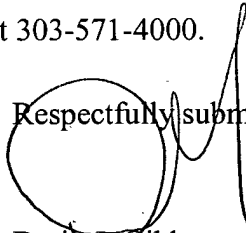
are distinguishable over the combination of Schafer and Kasson. Hence, it is respectfully requested that all §103 rejections be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


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